

## West Side Telecommunications DUKET FILE COPY ORIGINAL

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FCC Mail Room

2/12/08

Marlene H. Dortch Commission's Secretary Office of the Secretary FCC 445 12<sup>th</sup> Street, SW Washington, DC 20554

RE:

EB-06-TC-060

EB DOCKET No. 06-36

Certification of CPNI Filing Section 64.2009(e) of FCC Rules

Dear Ms. Dortch:

As required TelAtlantic's filings for the above-referenced ruling enclosed are the original and four (4) copies of "Certification of CPNI Filing and Statement of Explanation" due March 1st 2008.

Per FCC rules, we are also sending one copy each to Byron McCoy, Telecommunications Consumer Division and Commissions Copy Contractor, Best Copy and Printing, Inc. (BCPI).

Sincerely,

Michelle Barnes

Regulatory and Special Services Manager

304 983-8606 304 983-9950 Fax

hmb enclosures

Distriction of the List April 1984

## CERTIFICATION OF CPNI FILING [Section 64.2009(e) of FCC Rules]

FCC Mail Room

#### EB-06-TC-060 EB DOCKET NO. 06-36

I hereby certify that I am an Officer of TelAtlantic Communications, Inc.

I have personal knowledge that the Company and its affiliates listed on Attachment 1 have established operating procedures that are adequate to ensure compliance with the Customer Proprietary Network Information rules and requirements in Subpart U of Part 64 of the Federal Communications Commission's Rules (47 C.F.R. §§64.2001 through 64.2009). The attached Statement of CPNI Compliance explains how the Company's operating procedures ensure that it is in compliance with the foregoing FCC rules.

I am making this certification for the period from January 1, 2007 to December 31, 2007.

Signature

Drinted Name

Office Held

Date

#### ATTACHMENT 1

### Affiliates of TelAtlantic Communications, Inc.

- 1. Miller Telephone Company PO BOX 7, Main Street Miller, MO 65707
- 2. West Side Telephone Company 1449 Fairmont Road Morgantown, WV 26501
- Zenda Telephone Company
   208 N. Main Street
   Zenda, Kansas 67159
- 4. Communications Plus, Inc. 1449 Fairmont Road Morgantown, WV 26501

# TELATLANTIC COMMUNICATIONS, INC. AND ITS SUBSIDIARIES' (WEST SIDE TELEPHONE COMPANY, ZENDA TELEPHONE COMPANY, COMMUNICATIONS PLUS, INC. and MILLER TELEPHONE COMPANY (collectively referred to herein as the "COMPANY")) STATEMENT EXPLAINING HOW THEIR OPERATING PROCEDURES ENSURE COMPLIANCE WITH THE FCC'S CPNI RULES

#### I. Customer Proprietary Network Information ("CPNI")

CPNI is defined in Section 222(f) of the Communications Act as (A) information that relates to the quantity, technical configuration, type, destination, and amount of use of a telecommunications service subscribed to by any customer of a telecommunications carrier, and that is made available to the carrier by the customer solely by virtue of the carrier-customer relationship; and (B) information contained in the bills pertaining to telephone exchange service or telephone toll service received by a customer of a carrier (except that CPNI does not include subscriber list information).

Generally, CPNI includes personal information regarding a consumer's use of his or her telecommunications services. CPNI encompasses information such as: (a) the telephone numbers called by a consumer; (b) the length of a consumer's phone calls, and (c) the telecommunications and information services purchased by a consumer.

#### II. Use of CPNI Is Restricted

The Company recognizes that CPNI includes information that is personal and individually identifiable, and that privacy concerns have led Congress and the FCC to impose restrictions upon its use and disclosure, and upon the provision of access to it by individuals or entities inside and outside the Company.

The Company has designated a CPNI Compliance Officer and who is responsible for: (1) communicating with the Company's attorneys and/or consultants regarding CPNI responsibilities, requirements and restrictions; (2) supervising the training of Company employees and agents who use or have access to CPNI; and (3) receiving, reviewing and resolving any questions or issues arising within the Company regarding use, disclosure, or provision of access to CPNI.

Company employees and agents that may deal with CPNI have been informed that there are substantial federal restrictions upon CPNI use, distribution and access. In order to be authorized to use or access the Company's CPNI, employees and agents must receive training with respect to the requirements of Section 222 of the Communications Act and the FCC's CPNI Rules (Subpart U of Part 64 of the FCC Rules).

#### III. Permissible Uses of CPNI

Company employees and agents are strictly prohibited from using CPNI, and from providing CPNI to individuals or entities inside or outside the Company, except as follows:

- 1. The Company may release call detail information over the telephone only under three circumstances: (1) when a customer provides a pre-established password; (2) when a customer requests that the information be sent to the customer's address of record; or (3) when a carrier calls the telephone number of record and discloses the information. In addition, the company provides mandatory password protection for online account access. The company use of customer's readily available biographical information as password protection is strictly prohibited. The Company may provide account access to customers who present a valid photo IDs in our business office or retail center(s).
- 2. The Company will notify our customers immediately of changes to account activity, such as a change to a password, an online account or an address of record. Notification may be by voicemail, text message or by mail to the customer's address of record.
- 3. The Company CPNI Compliance Officer will follow the Notice of Unauthorized Disclosure of CPNI rules if there has been a breach of CPNI, we will provide an electronic notification of the breach within seven business days to the United States Secret Service ("USSS") and the Federal Bureau of Investigation ("FBI") via the link provided by the FCC.
- 4. In the absence of an appropriate written request from the customer, the Company may provide the customer's phone records or other CPNI to a law enforcement agency only in response to a warrant or subpoena that specifies the particular CPNI to be furnished.
- 5. The Company may use, disclose or permit access to CPNI to provide the same category of telecommunications service to a customer from which the CPNI is derived. For example, the Company may use the CPNI from its provision of local exchange service to a customer to provide or market new, additional or modified local exchange service offerings to the customer. Likewise, the Company may use the CPNI from its provision of long distance toll service to a customer to provide or market new, additional or modified long distance toll service offerings to the customer.
- 5. The Company and its authorized employees may use, disclose or permit access to CPNI to provide services necessary to, or used in, the provision of the telecommunications service from which the CPNI is derived.
  - a. The FCC has noted the publishing of directories as an example of this permitted use.
  - b. The FCC has indicated that telecommunications carriers may use disclose or permit access to CPNI, without customer approval, to provide inside wiring installation, maintenance, and repair services.

- c. The FCC has stated that local exchange carriers and commercial mobile radio service providers may use CPNI, without customer approval, to market "adjunct-to-basic" services such as speed dialing, computer-provided directory assistance, call monitoring, call tracing, call blocking, call return, repeat dialing, call tracking, call waiting, caller ID, call forwarding, and certain Centrex features.
- d. Any other use, disclosure or provision of CPNI under this "necessary to or used in the provision of" category must be expressly approved in writing by the Company's CPNI Compliance Officer.
- 6. The Company, its authorized employees and its billing agent may use CPNI to initiate, render, bill and collect for telecommunications services.
- 7. The Company may use CPNI to protect the Company's rights or property, and to protect users and other carriers from fraudulent, abusive or illegal use of (or subscription to) the telecommunications service from which the CPNI is derived.
- 8. The Company may use, disclose, or permit access to CPNI derived from its provision of local exchange service or interexchange service, without the customer's approval, to provide customer premises equipment ("CPE"), call answering, voice mail or messaging, voice storage and retrieval services, fax store and forward, and protocol conversion.
- 9. If a customer subscribes to more than one category of service offered by the Company, the Company is permitted to share CPNI among its affiliated entities that provide a service offering to the customer.

If a customer does not subscribe to more than one offering by the Company, the Company is not permitted to share CPNI with its affiliates without the customer's consent pursuant to the notice and approval procedures set forth in Sections 64.2007, 64.2008 and 64.2009 of the FCC's Rules.

- 9. When an existing customer calls the Company to inquire about or order new, additional or modified services (in-bound marketing), the Company may use the customer's CPNI to assist the customer for the duration of the customer's call if the Company provides the customer with the oral notice required by Sections 64.2008(c) and 64.2008(f) of the FCC's Rules.
- 10. The Company uses, discloses, and/or permits access to CPNI in connection with Company-initiated marketing of services to which a customer does not already subscribe from the Company (out-bound marketing) only pursuant to the notice and approval procedures set forth in Sections 64.2007, 64.2008, and 64.2009 of the FCC's Rules. All proposed out-bound marketing activities are reviewed by the Company's CPNI Compliance Officer for compliance with the CPNI restrictions and requirements in the Communications Act and the FCC Rules.

#### IV. CPNI Compliance Officer

In addition to the specific matters required to be reviewed and approved by the Company's CPNI Compliance Officer, employees and agents are strongly encouraged to bring any and all other questions, issues or uncertainties regarding the use, disclosure, or access to CPNI to the attention of the Company's CPNI Compliance Officer for appropriate investigation, review and guidance. The extent to which a particular employee or agent brought a CPNI matter to the attention of the CPNI Compliance Officer and received appropriate guidance is a material consideration in any disciplinary action brought against the employee or agent for impermissible use, disclosure or access to CPNI.

#### V. Disciplinary Procedures

The Company has informed its employees and agents that it considers compliance with the Communications Act and FCC Rules regarding the use, disclosure, and access to CPNI to be very important.

Violation by Company employees or agents of such CPNI requirements will lead to disciplinary action (including remedial training, reprimands, unfavorable performance reviews, probation, and termination), depending upon the circumstances of the violation (including the severity of the violation, whether the violation was a first time or repeat violation, whether appropriate guidance was sought or received from the CPNI Compliance Officer, and the extent to which the violation was or was not deliberate or malicious).

#### VI. Statement of Actions Against Data Brokers and Unauthorized Release of CPNI

The Company did not take any action against any Data Brokers or Pre-texters nor did the Company have any customer complaints of unauthorized release of CPNI for the year of 2007.